

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Magistrate No.  
04M-1057-JGD

UNITED STATES OF AMERICA

v.

SHAWN SANDLER

**MEMORANDUM AND ORDER OF DETENTION**

April 13, 2004

DEIN, M.J.

The defendant is charged in a criminal complaint with arson, in violation of 18 U.S.C. § 844(i). An initial appearance was held on April 1, 2004, at which time the defendant was represented by counsel. The government moved for a detention hearing on the grounds that the defendant is a danger to the community under 18 U.S.C. §§ 3142(f)(1)(A) and (f)(1)(D), and poses a serious risk of flight in accordance with 18 U.S.C. § 3142(f)(2)(A).

A probable cause and detention hearing was held on April 6, 2004 at which time the defendant was represented by counsel. At the hearing the parties requested a continuance and the matter was rescheduled for April 13, 2004. A probable cause and detention hearing was held on April 13, 2004. At the hearing, the defendant, through counsel, waived his right to a probable cause and detention hearing at this time, and consented to an order of detention.

Accordingly, it is ORDERED that the defendant be DETAINED pending trial, and it is further ORDERED --

- (1) That the defendant be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) That the defendant be afforded a reasonable opportunity for private consultation with counsel; and
- (3) On order of a court of the United States or on request by an attorney for the government, the person in charge of the corrections facility in which the defendant is detained and confined deliver the defendant to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a court proceeding.

This order is without prejudice to the defendant filing a motion at any time seeking a hearing for the purpose of considering conditions of release, regardless whether there have been changed circumstances.

/ s / Judith Gail Dein  
Judith Gail Dein  
United States Magistrate Judge